

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, (954) 797-1101

SUBJECT: Ordinance: Rezoning

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM RM-10, MEDIUM DENSITY DWELLING DISTRICT, TO R-5, LOW MEDIUM DENSITY DWELLING DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ZB 6-2-01, Town of Davie, General Address: 7575 Davie Road Extension/Generally located at the northeast corner of Davie Road Extension and NW 76 Avenue, approximately 1/2 mile east of University Drive.

REPORT IN BRIEF:

The attached ordinance rezones the subject site from RM-10, Medium Density Dwelling District to R-5, Low Medium Dwelling District.

PREVIOUS ACTIONS:

- The Town Council approved this item on its merits at its August 15, 2001 meeting (Motion carried: 5-0)

CONCURRENCES:

- The Planning and Zoning Board recommended approval of the request at its August 8, 2001 meeting. (Motion carried 5-0)

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Motion to approve the ordinance.

Attachment(s): Ordinance, land use map, subject site map, and aerial.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM RM-10, MEDIUM DENSITY DWELLING DISTRICT, TO R-5, LOW MEDIUM DENSITY DWELLING DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed from RM-10, Medium Density Dwelling District to R-5, Low Medium Density Dwelling District,

WHEREAS, said notice was given and publication made as required by law, and a public hearing thereunder was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from RM-10, Medium Density Dwelling District to R-5, Low Medium Density Dwelling District of the Town of Davie Code:

a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof.

SECTION 2. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as R-5, Low Medium Density Dwelling District.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2001.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK
APPROVED THIS _____ DAY OF _____, 2001.

EXHIBIT "A"







